IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8433 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

CENTRAL MARINE FISHERIES RESEARCH INSTITUTE & RESEARCH CENTR

Versus

HIRALAL MEPABHAI BHINT

Appearance:

MR KIRAN YAJNIK for Petitioner

Respondent is served.

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 18/08/2000

ORAL JUDGEMENT :

The present petition is filed by the Central Marine Fisheries Research Institute and Research Centre, Talala Road, Veraval, for the relief that the order passed by the learned Civil Judge, Junior Division in

Regular Civil suit No.618 of 1989, below exh.15 be quashed and set aside. It is given out in the petition that by virtue of a notification dated 28.4.1987 issued by the Govt. of India, Department of Personnel, Public Grievances and Pension, in the Gazette of India, Extraordinary Part II, Sec.3, Subsec. (1), brought the petitioner, Research Institute within the purview of the Administrative Tribunals Act, 1985.

2. It is clear from the facts set out in the petition that the Civil Judge, Junior Division, Veraval had no jurisdiction to entertain the matter. Therefore, there is no question of passing any order much less an ex parte injunction against the institute. In that view of the matter, the order passed by the Civil Judge, Junior Division is hereby quashed and set aside. The petition is allowed. Rule is made absolute. No order as to costs.

18th August 2000 (Ravi R. Tripathi, J.)

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